

REMARKS

Claims 1-7 and 9-20 are currently pending in the present application. By this Amendment, claim 1 has been amended. Support for the amendment to claim 1 is found at least at page 13, lines 20-21, of the specification as originally filed. No new matter has been added.

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application Publication No. 2003/0092793 to Liu et al. in view of US Patent No. 6,018,004 to Warzelhan et al.

Claim 1, as amended, recites from 0.1% to 15% by weight, based on the total weight of components i to ii, of a copolymer of styrene and glycidyl (meth)acrylate. At least this feature of independent claim 1 cannot reasonably be considered to be suggested by the applied citations.

The Office Action relies on paragraph [0070] of Liu for a suggestion of epoxidized soybean oil with more than two epoxide groups. However, epoxidized soybean oil cannot reasonably be considered to correspond to the above-quoted features of amended claim 1.

Moreover, Applicants respectfully disagree with the assertion that Liu suggests a biodegradable resin composition because the 20-64% of thermoplastic resin, which, as set forth at paragraph [0034] of Liu are selected from the group consisting of polyethylene, polypropylene, polystyrene, ethylene-vinyl acetate copolymer, polyester and polyamide. However, these thermoplastic resins are not biodegradable.

In addition, Applicants submitted a Declaration under 37 CFR 1.132 to Examiner Fang on May 20, 2010. The Declaration demonstrates that a biodegradable polyester mixture comprising 70% w/w Ecoflex ® FBX 7011, 29.8% w/w starch, and 0.2% w/w Joncryl® ADR 4368 S not only exhibits enhanced mechanical properties, such as maximum stress, but also has a significantly increased rate of biodegradation compared to a mixture comprising comprising 70% w/w Ecoflex ® FBX 7011 and 30% w/w starch.

Claims 2-7 and 9-20 are in condition for allowance for at least their respective dependence on an allowable claim 1, as well as for the separately patentable subject matter that each of these claims recites.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 22-0185, under Order No. 12810-00192-US1 from which the undersigned is authorized to draw.

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Respectfully submitted,

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